IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWELFTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 7493 of 2005

Between:

Jekki Venkateswarulu @ Joji, s/o Venkaiah,
r/o Vijayawada, Eluru Road, Krishna District.

..... PETITIONER

AND

1 The Govt. of Andhra Pradesh rep., by its Secretary, Home Department, Secretariat, Hyderabad.
2 The Superintendent of Police, Machilipatnam Krishna District.
3 The Station House Officer, Chilakalapudi P.s., Machilipatnam, Krishna District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondents i.e., Police authorities in not taking action against the culprits as mentioned in the complaints filed by the petitioner in accordance with law, though there is threat to lives of the petitioner and his family members is illegal, arbitrary and violative of Article 14, 21 and 22 of the Constitution of India and consequently direct the respondents to take action against the culprits in accordance with law as mentioned in the complaint dt.21-3-2005 filed by the petitioner in accordance with law before the Chilakalapudi P.S.Machilipatnam, Krishna District and further direct the respondents to protect the petitioner's life and to provide police protection to the Church situated at D.No.30-349/1&2 at Malakapatnam, Machilipatnam, Krishna District and to pass such order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.G.ALLABAKASH

Counsel for the Respondent No.: GP FOR HOME

The Court at the stage of admission made the following :

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ORAL ORDER:.

Heard both sides and at their request this Writ Petition is taken up for disposal at the stage of admission.

This Writ Petition is filed for issuance of a writ particularly one in the nature of Writ of Mandamus, declaring the action of the respondents i.e. police authorities in not taking action against the culprits as mentioned in the complaint filed by the petitioner in accordance with law though there is threat to lives of the petitioner and his family, as illegal, arbitrary and consequently direct the respondents to take action against the culprits in accordance with law, as mentioned in the complaint dated 21.3.2005 filed by the petitioner.

The grievance of the petitioner is that the third respondent- Station House Officer, Chilakalapudi Police Station, Machilipatnam, Krishna District, is not taking any action upon the complaint made by him on 21.3.2005.

Having regard to the facts and circumstances, suffice it to close the Writ Petition with a direction to the third respondent-Station House Officer, Chilakalapudi Police Station, Machilipatnam, Krishna District, to conduct the investigation and proceed in accordance with law pursuant to the complaint lodged by the petitioner on 21.3.2005. No costs.

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D.S.R. VARMA, J

DATED: 12.04.2005

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Note: Furnish copy in two days.

B/o ka

To

1 The Govt. of Andhra Pradesh rep., by its Secretary, Home Department, Secretariat, Hyderabad.
2 The Superintendent of Police, Machilipatnam Krishna District.
3 The Station House Officer, Chilakalapudi P.s., Machilipatnam, Krishna District.

4. Two CCs to G.P. for Home, High Court of A.P., Hyderabad (OUT)

5. Two CD copies.